1-30-04

JAN 2 9 2004 u

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT

JAMES WINTER

TITLE

METHOD OF TREATMENT USING MAGNETIC RESONANCE AND

APPARATUS THEREFOR

APPLN. NO.

: 10/412,913

FILING DATE

April 14, 2003

ART UNIT

3737

EXAMINER

Ruth S. Smith

ATTORNEY DOCKET NO.

5486-3

TO: Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED FEB 0 5 2004

TECHNOLOGY CENTER R3700

CERTIFICATE OF EXPRESS MAILING

Express Mail Mailing Label No.: ER 305799577 US Date of Deposit: January 29, 2004

I hereby certify that this correspondence, along with any paper indicated as being enclosed, are being deposited with the United States Postal Service as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 29, 2004.

Date

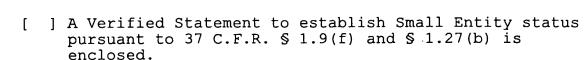
Olga Stefaniak

TRANSMITTAL LETTER ACCOMPANYING RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement (2 pgs.) and Preliminary Amendment (14 pages) in the above-captioned application.

[XX] Small Entity status of this application pursuant to 37 C.F.R. \$1.9(f) and \$1.27(b) has been established by a Verified Statement previously submitted.



- [] It is believed that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition for Extension of Time under 37 C.F.R. § 1.136(a).
-] Applicant petitions for an Extension of Time under 37 C.F.R. \$1.136 (fees: 37 C.F.R. \$1.17(a)-(d)) for the total number of months checked below:

| | Extension Month(s) | Fee For Other Than Small Entity | Fee For Small Entity | |
|------------------|--|--|---|--|
| [[[[| <pre>1 month 2 months 3 months 4 months 5 months</pre> | \$110.00 \$420.00 \$950.00 \$1,480.00 \$2,010.00 | \$ 55.00 \$ 210.00 \$ 475.00 \$ 740.00 \$1,005.00 | |

- [] A Terminal Disclaimer Pursuant to 37 C.F.R. § 1.321(b) and (c) is enclosed.
- [] An Assignment (pgs.) is enclosed.
 -] Assignment Cover Sheet (1 pg.)
- | An Information Disclosure Statement Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98 (pgs.) is enclosed.
 - [] Form PTO-1449
 - [] References
- [XX] A postage-prepaid, self-addressed postcard to acknowledge receipt of this communication is enclosed.

Appln. No. 10/412,913 Attorney Docket: 5486-3

Exp. Mail No.: ER 305799577 US

The claim fee has been calculated as shown below:

(Column 1) (Column 2) (Column 3)

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|---|-------|---|------------------|
| тот | * 24 | Minus | ** 20 | = 4 |
| IND | * 7 | Minus | *** 3 | = 4 |
| FIRST PRESENTATION OF MULT. DEP. CLAIMS | | | | |

| RATE | | ADDI- TION- AL FEE | | |
|-------|-----|-----------------------------|-----|-----|
| х | , 9 | | \$ | 36 |
| х | 43 | = | \$: | 172 |
| + | 145 | 5= | \$: | L45 |
| TOTAL | | | \$3 | 353 |

| | RATE | ADDI- TION- AL FEE | | | |
|----|--------|-----------------------------|--|--|--|
| OR | x 18 = | \$ | | | |
| OR | x 86 = | \$ | | | |
| OR | + 290= | \$ | | | |
| OR | TOTAL | \$ | | | |

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- **If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.
 -] No additional claim fee is required.
 - in the | Please charge my Deposit Account No. amount of \$_____. Two copies of this transmittal are attached.
 - [XX] Credit Card Payment Form (PTO-2038) for the payment of \$353 to cover additional claim fee of \$36, additional independent claim fee of \$172 and the multiple dependent claim fee of \$145 is enclosed.
 - [] The Commissioner is hereby authorized to charge any deficiency in fees associated with this communication, or credit any overpayment, to Deposit Account No. Two copies of this transmittal are attached.

29/04

Respectfully submitted,

Robert S. Lipton, Esquire Registration No. 25,403

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